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**UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF CALIFORNIA  
WESTERN DIVISION**

NORTH ATLANTIC OPERATING  
COMPANY, INC. *et al.*,  
  
Plaintiffs,  
  
v.  
  
LA PRICE CHECK, LLC *et al.*,  
  
Defendants.

CASE NO. 2:17-CV-05920 VAP  
(AFMx)  
  
Hon. Virginia A. Phillips  
  
~~PROPOSED~~ PERMANENT  
INJUNCTION  
  
Action Filed: Aug. 9, 2017  
Trial Date: Aug. 28, 2018

1 The Court, having considered the Joint Stipulation for Entry of Permanent  
2 Injunction as to Defendants MJ Wholesale USA Inc., and Nisar Mohammed (“MJ  
3 Wholesale Defendants”), entered into by and between the MJ Wholesale  
4 Defendants and Plaintiffs North Atlantic Operating Company, Inc. and National  
5 Tobacco Company, L.P. (together, “North Atlantic” or “Plaintiffs”), and for good  
6 cause appearing therefor, **IT IS HEREBY ORDERED THAT:**

7 Pursuant to Federal Rule of Civil Procedure 65 and the Lanham Act, 15  
8 U.S.C. § 1501 *et seq.*, MJ Wholesale Defendants, as well as their agents, servants,  
9 employees, attorneys, officers, and other representatives, and all other persons in  
10 active concert or participation with them, or each of them, who receive actual  
11 notice of this Order by personal service or otherwise, are hereby permanently  
12 enjoined and restrained from, directly or indirectly, anywhere in the world  
13 (“Permanent Injunction”):

- 14 a. Manufacturing, making, buying, purchasing, importing, shipping,  
15 delivering, advertising, marketing, promoting, offering to sell, selling,  
16 or otherwise distributing or disposing of, in any manner, any  
17 authentic, counterfeit, or infringing ZIG-ZAG® brand products,  
18 including but not limited to ZIG-ZAG® 1 ¼ Size French Orange  
19 cigarette paper products (“ZIG-ZAG® Orange”), or any products  
20 bearing: The ZIG-ZAG® Trademarks<sup>1</sup>, the NAOC® Trademarks<sup>2</sup>, the

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23 <sup>1</sup> Defined as the marks of U.S. Registration Nos. 610,530 (ZIG-ZAG (stylized));  
24 1,127,946 (ZIG-ZAG (Word Mark)); 2,169,540 (Smoking Man Design (Circle  
25 Border)); 2,169,549 (Smoking Man Design (No Border)).

26 <sup>2</sup> Defined as the marks of U.S. Registration Nos. 2,664,694 and 2,664,695  
27 (NORTH ATLANTIC OPERATING COMPANY INC. and Gear Design); and  
28 2,610,473 and 2,635,446 (NORTH ATLANTIC OPERATING COMPANY (Word  
Mark)).

1                   NAOC© Copyright<sup>3</sup>, and/or the ZIG-ZAG® Orange Trade Dress<sup>4</sup>;  
2                   and/or

3                   b. The statement that such products are “Distributed by North Atlantic  
4                   Operating Company, Inc.” or otherwise under the control or  
5                   supervision of North Atlantic;

6                   b) Manufacturing, making, buying, purchasing, importing, shipping, delivering,  
7                   advertising, marketing, promoting, offering to sell, selling, or otherwise  
8                   distributing or disposing of, in any manner, any North Atlantic products, or  
9                   purported North Atlantic products that are not actually produced, imported,  
10                  or distributed under North Atlantic’s control or supervision, or approved for  
11                  sale in the United States by North Atlantic in connection with the ZIG-  
12                  ZAG® Trademarks, the NAOC® Trademarks, the NAOC© Copyright, or  
13                  the ZIG-ZAG® Orange Trade Dress;

14                  c) In any way infringing or damaging the ZIG-ZAG® or NAOC® Trademarks,  
15                  the NAOC© Copyright, or the ZIG-ZAG® Orange Trade Dress, or the value  
16                  or goodwill associated therewith;

17                  d) Attempting, causing, or assisting in any of the above-described acts,  
18                  including, but not limited to, enabling others in the above-described acts or  
19                  passing on information to others to allow them to do so;  
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22                  <sup>3</sup> Defined as the work of the federal copyright registration for the visual  
23                  material/computer graphic titled “North Atlantic Operating Company, Inc.” (VAu  
24                  464-855).

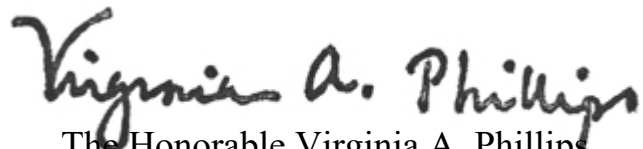
25                  <sup>4</sup> Defined as the distinctive design elements comprising the overall look and feel of  
26                  ZIG-ZAG® Orange packaging (booklets and cartons), including at least the  
27                  following: (1) ZIG-ZAG® and NAOC® Trademarks, (2) NAOC© Copyright, (3)  
28                  gold-fill lettering and design elements, (4) French phrases such as “Qualite  
                    Superieure” and “Braunstein Freres France,” and (5) the express statements that  
                    the products are “Made in France” or “Imported French”, or “Distributed by North  
                    Atlantic Operating Company, Inc.”

- 1 e) Destroying, altering, deleting, or otherwise disposing of any documents,  
2 records, or electronically stored information concerning the manufacturing,  
3 making, buying, purchasing, importing, shipping, delivering, advertising,  
4 marketing, promoting, offering to sell, selling, or other distribution or  
5 disposal of any product that has been, or is intended to be, sold in packaging  
6 containing, displaying, or bearing the ZIG-ZAG® or NAOC® Trademarks,  
7 the NAOC© Copyright, or the ZIG-ZAG® Orange Trade Dress; and/or  
8 f) Forming or causing to be formed any corporation or other entity that  
9 engages in the above-described acts.

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11 **IT IS FURTHER ORDERED** that violation of any or all of the foregoing  
12 provisions shall be punishable by contempt of court, entitling North Atlantic to  
13 collect liquidated damages in the amount of seventy-five thousand dollars  
14 (\$75,000.00), in addition to North Atlantic's reasonable attorneys' fees incurred in  
15 enforcing this injunction and/or collecting damages.

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17 **IT IS SO ORDERED.**

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20 Dated: June 19, 2018

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22 The Honorable Virginia A. Phillips  
23 Chief United States District Judge  
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